

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CR 57895 DA A56838

DATE NOV 8 1982 AT 10:30 MPRESENT HON. JAMES A. MALKUSJUDGE PRESIDING DEPARTMENT NINECLERK REPORTERTHE PEOPLE OF THE STATE OF CALIFORNIA
VSCARLOS BUSTAMANTE aka Carlos Bustamante
DEFENDANT

DEPUTY DISTRICT ATTORNEY

DEFENDERS J. Bourden

ATTORNEY FOR DEFENDANT (APPT'D/RETAINED)

VIOLATION OF PC 192.2

FUR PROC PC 1203.03

- DEFENDANT ☐ DULY ARRAIGNED FOR JUDGMENT ☒ WAIVES ARRAIGNMENT ☐ NOT PRESENT
- ☐ DEFENDANT ADVISED OF RIGHTS AND (ADMITS) (DENIES) A VIOLATION OF PROBATION ☐ WAIVES HEARING
- PROBATION IS ☒ DENIED ☐ REVOKED ☐ REINSTATED ☐ MODIFIED ☐ CONTINUED ☐ GRANTED _____ YEARS
- ☐ DEFENDANT COMMITTED TO CUSTODY OF SHERIFF FOR _____ ADULT INSTITUTIONS RECOMMENDED
- AS PER ORDER SIGNED AND FILED ☐ DEFENDANT NOT TO BE GRANTED PAROLE (STRIKE IF NOT APPLICABLE)
- ☐ DEFENDANT REFERRED TO DIRECTOR OF CORRECTIONS UNDER PC 1203.03 HEARING SET FOR _____
- AT _____ M IN DEPARTMENT _____
- ☒ DEFENDANT COMMITTED TO DIRECTOR OF CORRECTIONS (LOWER) (MIDDLE) (UPPER) TERM CREDIT TIME SERVED: 81 DAYS LOCAL
- ☐ DEFENDANT COMMITTED TO CALIFORNIA YOUTH AUTHORITY OF _____ YRS. 40 DAYS PRISON
- ☒ DEFENDANT NOTIFIED OF APPEAL RIGHTS IN ACCORDANCE WITH RULE 250, CALIFORNIA RULES OF COURT 121 DAYS QTMT
- ☒ ADVISED OF PAROLE RIGHTS 121 DAYS TOTAL
- ☐ DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT

CONTINUED TO _____

DEPT. _____

AT _____ M ON MOTION OF COURT / DDA / DEFENDANT / PROBATION OFFICER

PROCEEDINGS ADJOURNED TO DETERMINE WHETHER DEFENDANT ☐ IS PRESENTLY SANE (PC 1368) ☐ IS MENTALLY DISORDERED SEX OFFENDER (WI 6300 ET. SEQ.)☐ ADDICTED OR IN IMMINENT DANGER OF BECOMING ADDICTED TO NARCOTICS, AS PER ORDER SIGNED AND FILED (WI 3051)DEFENDANT REMAINS AT LIBERTY: ☐ ON BOND POSTED \$ _____ ☐ ON OWN RECOGNIZANCE ☐ ON PROBATION☒ DEFENDANT REMANDED TO CUSTODY OF SHERIFF WITHOUT BAIL ☐ DEFENDANT ORDERED RELEASED FROM CUSTODY OF SHERIFF☐ DEFENDANT REMANDED TO CUSTODY OF SHERIFF WITH BAIL SET AT \$ _____☐ COURT DETERMINES DEFENDANT HAS / DOES NOT HAVE ABILITY TO REIMBURSE THE COUNTY FOR COURT APPOINTED COUNSEL IN THE AMOUNT OF \$ _____

PAYABLE \$ _____ PER MONTH COMMENCING _____

☐ BENCH WARRANT TO ISSUE, BAIL SET AT \$ _____ SERVICE WITHHELD TO _____☐ BAIL BOND EXONERATED ☐ DMV ABSTRACT FORWARDED☐ BOND FORFEITED \$ _____

BOND COMPANY _____

BOND NO. _____

AGENT _____

☐ DEFENDANT ORDERED TO PAY A FINE OF \$ _____ INCLUDING PENALTY ASSESSMENT (PC 13521) (GC 13907)

(STRIKE ONE)

AT \$ _____ BEGINNING _____

PLUS PENALTY ASSESSMENT (GC 13907)

☐ DEFENDANT ORDERED TO MAKE RESTITUTION OF _____ AT _____ COMMENCING _____

OTHER

*at recommends a minimum custody institution*DATED: NOV 8 1982

ORDER JAMES A. MALKUS

SINGLE OR CONCURRENT COUNT FORM
(Not to be used for Multiple Count Convictions nor Consecutive Sentences)

FORM DSL 290.1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
COUNT NO. 37 BRANCH _____

FILED
Robert D. Zumwalt, Clerk
NOV 8 1982

PEOPLE OF THE STATE OF CALIFORNIA
DEFENDANT: CARLOS BUSTAMANTE
AKA: Carlos Bustamante

VERSUS ☒ PRESENT ☐ NOT PRESENT

BY E. RUNDLE
DEPUTY

COMMITMENT TO STATE PRISON
ABSTRACT OF JUDGMENT

☐ AMENDED
☐ ABSTRACT

CASE NUMBER
CR 57895

DATE OF HEARING
(MO) (DAY) (YR)
11 08 82

DEPT. NO.
NINE

JUDGE
JAMES A. MALKUS

CLERK
DEBORAH HOCKETT

REPORTER

MARVEL McDONALD

COUNSEL FOR PEOPLE

KEITH BURT

COUNSEL FOR DEFENDANT

THOMAS BOWDEN

PROBATION NO. OR PROBATION OFFICER
CHARLYNE McKAIN

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONY:

COUNT	SECTION NUMBER	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION	CONVICTION BY	TIME IMPOSED
			MO	DAY	YEAR	YEARS MONTHS
3	PC 192.2	Involuntary Manslaughter	81	07	29	2

2. ENHANCEMENTS (CHARGED AND FOUND, STRICKEN, TIME IMPOSED):

COUNT	12022.5(a)	12022.5(b)	12022.5(c)	12022.5(d)	12021.6	12022.6(a)	12022.6(b)	12022.7	12022.8
	C/F	S	I	C/F	S	I	C/F	S	I

3. OTHER ORDERS:

Court recommends a minimum custody institution

4. A. NUMBER OF PRIOR PRISON TERMS:

S	C/F	S	I
667.5(b)	0		
667.5(b)	0		
667.5(b)	0		

B. NUMBER OF PRIOR FELONY CONVICTIONS:

S	C/F	S	I
667.5(a)			

5. TIME STAYED § 1170.1(f) (DOUBLE-BASE LIMIT):

6. TOTAL TERM IMPOSED:

7. ☐ THIS SENTENCE IS TO RUN CONCURRENT WITH ANY PRIOR UNCOMPLETED SENTENCE(S).

8. EXECUTION OF SENTENCE IMPOSED:

A. ☒ AT INITIAL SENTENCING HEARING

B. ☐ AT RESSENTENCING PURSUANT TO DECISION ON APPEAL

C. ☐ AFTER REVOCATION OF PROBATION

D. ☐ AT RESSENTENCING PURSUANT TO RECALL OF COMMITMENT (PC 1170(d))

9. DATE SENTENCE PRONOUNCED:
11 08 82

CREDIT FOR TIME SERVED IN CUSTODY:

TOTAL DAYS: 121

INCLUDING: 81

LOCAL CONDUCT CREDIT: 40

STATE INSTITUTIONS

☐ DMH ☐ CDC

10. DEFENDANT IS REMANDED TO THE CUSTODY OF THE SHERIFF, TO BE DELIVERED:

☒ FORTHWITH

☐ AFTER 48 HOURS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS

INTO THE CUSTODY OF THE DIRECTOR OF CORRECTIONS AT THE RECEPTION GUIDANCE CENTER LOCATED AT:

☐ CALIF. INSTITUTION FOR WOMEN - FORTY

☐ OTHER (SPECIFY):

☐ CALIF. MEDICAL FACILITY - VACAVILLE

☒ CALIF. INSTITUTION FOR MEN - CHINO

CLERK OF SUPERIOR COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action

DEPUTY SIGNATURE

E. Rundle

DATE

NOV 8 1982

This form is prescribed pursuant to Penal Code § 1213.5 to satisfy the requirements of Penal Code § 1213 (Abstract of Judgment and Commitment) for determinate sentences under Penal Code § 1170. A copy of probation report shall accompany the Department of Corrections' copy of this form pursuant to Penal Code § 1203c. A copy of the sentencing proceedings and any supplementary probation report shall be transmitted to the Department of Corrections pursuant to Penal Code § 1203.01. Attachments may be used but must be incorporated by reference.

Form Adopted by the
Judicial Council of California
Effective July 1, 1981

ABSTRACT OF JUDGMENT - COMMITMENT
SINGLE OR CONCURRENT COUNT FORM
(Not to be used for Multiple Count Convictions nor Consecutive Sentences)
FORM DSL 290.1

Pen. C. 1213.5.

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CRC